

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13790 of 2020

Arising Out of PS. Case No.-100 Year-2019 Thana- ANGARGHAT District- Samastipur

SHIVAM KUMAR PANDEY S/o Late Ram Gulam Pandey Resident of
Village- Chaitya Uttari, P.S.- Angarghat, Distt- Samastipur, Bihar

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 08-09-2020 Due to COVID-19 Pandemic, the matter is being taken up
by way of virtual Court proceeding.

The matter has been listed under the heading “For Orders”
under the orders of Hon’ble the Chief Justice.

Heard learned counsel for the petitioner and learned APP for
the State.

The petitioner is apprehending his arrest in a case registered
under Sections 307, 323, 324, 325, 341, 354, 448, 504 and 506/34 of
the Indian Penal Code.

Allegedly, the petitioner assaulted the informant on his head by
Farsa with intention to kill her, as a result of which, she sustained
injuries. It is also alleged that he attempted to commit rape upon her.

It has been submitted on behalf of the petitioner that there is no
allegation of tampering of witnesses alleged against the petitioner.
The petitioner has been falsely implicated in the present case. Due to



land dispute, the alleged occurrence is said to have taken place. A number of cases are pending between the parties. A title suit is also pending between the parties. At best, it is a case for an offence under Section 325 of the Indian Penal Code.

On behalf of the State and the informant, it is submitted that the petitioner is named in the Complaint Case/F.I.R. There is specific allegation of assault alleged against the petitioner. The nature of injury is said to be grievous.

Considering the aforesaid facts and circumstances of the case, I am not inclined to grant anticipatory bail to the petitioner. Accordingly, prayer for anticipatory bail of the petitioner in connection with Angarghat P.S. Case No. 100 of 2019 is rejected.

If the petitioner surrenders in the court below and seeks regular bail, the same shall be considered and disposed of preferably on the same day on its own merit without being prejudiced by this order.

(Sudhir Singh, J)

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